

News Release



FOR IMMEDIATE RELEASE

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Contact: Roy Stearns
(916) 654-7538

Resource Protection to Continue

Mountain Biking to Return To Nisene Marks State Park

State Park officials announced today that a settlement has been reached in a lawsuit brought by a group of citizens claiming that the Marks family never intended biking to be a form of recreation in the Forest of Nisene Marks State Park.

A court ruling eliminated biking from a large portion of the park. Under the settlement terms, mountain biking can return to a limited area of the park.

"We have strong feelings about protecting California's natural resources," said California State Park Director Ruth Coleman. "Under this agreement, not only will these valuable natural resources continue to be maintained for generations to come, but the intent of the family of Nisene Marks' as determined by the court will be preserved to protect the area for walkers, runners and hikers. And, mountain bikers will also have an area in which to enjoy the park."

Under the agreement, cycling will be limited to a fire road that bisects the park. The fire road is especially popular with riders from novice on up because it is considered safe, it is wide enough to accommodate multiple uses, it offers panoramic views of Monterey Bay and it connects to other properties and trails above the park. State Park officials also agreed to post signs telling bikers to remain on the trails on undeeded property (not subject to the deed restrictions) lower in the scenic park.

The Nisene Marks property was donated in 1963 by members of a Salinas Valley farming family, the Marks family. The transaction included deed restrictions that there would be no horses allowed on the trails because of erosion. California State Parks interpreted the deed to allow for other uses and made the decision to develop a park with multiple use trails, including mountain biking.

However, a lawsuit was filed several years later in 2003 by users of the park who said that the deed restrictions did not anticipate uses such as mountain biking and that the General Plan that had been adopted by the Parks and Recreation Commission went too far in allowing

additional biking trails throughout the park. They also challenged the California Environmental Quality Act compliance. A Sacramento judge found that State Parks had not correctly interpreted the intent of the donors. Following the announcement of the judge's decision, the plaintiffs offered to settle the case by allowing the return of mountain biking on the fire road only, with no additional trails, which was where the biking had primarily occurred prior to the lawsuit.

The park is located in California's Santa Cruz area, about four miles north of Aptos on Aptos Creek Road.

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